



RCE/3643

PATENT
Attorney Docket No.: 053727-5001-US

JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Kurt R. DAHLBERG *et al.*

Application No.: 10/000,094

Group Art Unit: 3643

Filed: December 4, 2001

Examiner: S. Nguyen

For: POLYSACCHARIDE MUSHROOM COMPOST SUPPLEMENTS

MAIL STOP RCE
U.S. Patent and Trademark Office
Arlington, VA 22202

Sir:

**REQUEST FOR CONTINUED
EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114
 - a. ☒ Enclosed: Supplemental Amendment
2. Fees Calculation
 - a. RCE Fee required under 37 C.F.R. § 1.17(e) (\$770.00_
 - b. Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(c))	35	minus	20	15	x \$18 each =	+ \$270.00
Independent Claims (37 C.F.R. § 1.16(b))	1	minus	3	0	x \$86 each =	+ \$
[] First presentation of Multiple dependent claim(s)					\$20.00	+ \$0.00
SUB-TOTAL =						\$270.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$270.00

c. Extension of Time

- ☒ Applicant petitions for a two-month extension of time (\$420.00), the fees for which are set out in 37 C.F.R. § 1.17(a). If an additional extension of time is required, please consider this a Petition therefor.

3. Fee Payment

- ☒ The Director is hereby authorized to charge the Deposit Account No. 50-0310 in the total amount of \$1,460.00 (representing the RCE filing fee, excess total claims and a two-month extension of time).
- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

4. Additional documents:

- ☒ Cite – The Concise Oxford Dictionary of Botany (Page 383)

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

By:



Erich E. Veitenheimer

Reg. No. 40,420

Dated: August 9, 2004

Customer No. 009629
MORGAN LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000 (phone)
202-739-3001 (fax)



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In re Application: Kurt R. DAHLBERG <i>et al.</i>)	
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Application No. 10/000,094)	Group Art Unit: 3643
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Filed: December 4, 2001)	Examiner: Son T. Nguyen
)	
For: POLYSACCHARIDE MUSHROOM)	
COMPOST SUPPLEMENTS)	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

SUPPLEMENTAL AMENDMENT

This Supplemental Amendment is being presented as a preliminary amendment in the concurrently-filed Request for Continued Examination (RCE) Transmittal. While this Supplemental Amendment was previously sent to the U.S. Patent and Trademark Office (USPTO) via fax on March 3, 2004, the amendments were not entered by the Examiner as indicated in the Advisory Action mailed March 26, 2004.

This Supplemental Amendment is a *bona fide* attempt to provide a complete reply to the final Office Action. Since the Advisory Action stated that “the added language of ‘the enriched mushroom compost supplement does not comprise mushroom mycelia’ would require further consideration”, a first action final is not appropriate in this situation.

Please amend the application as follows:

08/10/2004 KBETEMA1 00000102 500310 10000094

01 FC:1202	270.00 DA
02 FC:1252	420.00 DA